

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Richard Wershe, Jr.

Plaintiff,

Case No. 21-cv-11686

F. Kay Behm,

United States District Judge

v.

[1] City of Detroit; [2] William Jasper;  
[3] Kevin Greene; [4] Carol Dixon; [5] Herman Groman;  
[6] Lynn Helland; [7] E. James King; and  
[8] Unknown Assistant United States Attorney,  
Jointly and Severally,

Defendants

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***BIVENS* DEFENDANTS' RESPONSE REGARDING  
NOTICE PERMITTING SUPPLEMENTAL BRIEF (ECF 58)**

The *Bivens* defendants—retired FBI agent Herman Groman; Carol Dixon, widow of FBI agent James Dixon; and retired AUSAs Lynne Helland and E. James King—will not file an optional supplemental brief addressing the time-bar and equitable tolling issues identified in the Court's May 2, 2023 notice (ECF 58).

These issues are fully briefed in the *Bivens* defendants' Rule 12(b)(1) and (6) motion filings, in their principal and reply briefs: (1) in ECF 34, at Arguments II-IV, pages *v*, 17-43, and *passim* and (2) in ECF 50 (typos corrected in ECF 53) at pages 1-5, points 3-7, and *passim*. Other aspects of Wershe's delay are briefed

in the *Bivens* defendants’ notice (ECF 54) addressing plaintiff Wershe’s “companion case” against the United States—*Wershe v. U.S.*, no. 22-cv-12596 (E.D. Mich.).

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